rpa

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1398 OF 2003
IN
FAMILY COURT APPEAL NO.222 OF 1993

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's Order	Court's or Judge's Order

Mr.V.A.Gangal for the appellant.
Mr. N. R. Bubna i/b. R. S. Apte for the respondent.

CORAM : J.N.PATEL AND
A.A. SAYED, JJ.

DATE : 9TH OCTOBER, 2007.

P.C. :-

. The learned counsel for the appellant submits that the appeal came to be dismissed for non prosecution. The appellant has filed two appeals in the matter first is F. A. No. 221 of 1993 and the present appeal i.e. 222 of 1993. He submits that on 28th July, 2003 this court has taken up an application for restoration in First Appeal No.221 of 1993 and has allowed the same in

terms of prayer clauses (a) and (b). It appears that due to inadvertence same orders could not be passed in the connected matter.

2. We find no reason not to accept the submission of the learned counsel for the appellant as there is order of 28th July, 2003 passed in connected matters. Therefore, this application is allowed in terms of prayer clause (a) and there will also be an order in terms of prayer clause (b) as in the other matter. The office is directed to club these two matters so that it would facilitate hearing and disposal of these two appeals as the parties are same and they are represented by the same counsel.

(J.N.PATEL,J.)

(A.A. SAYED, J.)